

ENTERED

May 06, 2021

Nathan Ochsner, Clerk

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION**

AMIT LIVINGSTON,
Plaintiff.

v.

USE OF FORCE & FIELD FORCE, ET
AL.,
Defendants.

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Civil Action No. 1:21-cv-00031

ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

Before the Court are the following pleadings: Amit Livingston's ("Plaintiff") "Prisoner's Civil Rights Complaint" ("Complaint") (Dkt. No. 1) and the "Magistrate Judge's Report and Recommendation" ("R&R") (Dkt. No. 9).

The R&R recommends this Court dismiss Plaintiff's Complaint "for failing to state a claim within the jurisdiction of this Court, and for failing to comply with the Court's Order dated March 9, 2021. See Dkt. No. 4." Dkt. No. 9. Objections were due May 3, 2021. No objections were filed by either party. When no objections are filed to a magistrate judge's ruling, the district court applies the "clearly erroneous, abuse of discretion and contrary to law" standard of review. *United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989). Finding no clear error, abuse of discretion, or finding contrary to law, the R&R is **ADOPTED**.

Thus, Plaintiff's Complaint (Dkt. No. 1) is **DISMISSED WITHOUT PREJUDICE** for failing to state a claim. The District Court Clerk is **ORDERED** to close the case.

Signed on this 5th day of May, 2021.



Rolando Olvera
United States District Judge